UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,014	01/22/2004	Richard M. Wilson	260-012 LOT9-2003-0113US1	6500

44185	7590	02/22/2008	⌒	**EXAMINER**

LOTUS AND RATIONAL SOFTWARE
David A. Dagg, Esq.
44 Chapin Road
Newton, MA 02459

EXAMINER
LONG, ANDREA NATAE

ART UNIT	PAPER NUMBER
2176	

NOTIFICATION DATE	DELIVERY MODE
02/22/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dave@davedagg.com

	Application No.	Applicant(s)
Office Action Summary	10/763,014	WILSON ET AL.
	Examiner	Art Unit
	Andrea N. Long	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 December 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-19</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-19</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 12/23/2007 has been entered.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   **Claims 1-2, 7-8, 13-14, and 19 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Godefroid et al (US Patent 6697840 B1), hereinafter "Godefroid" in

view of Mendiola et al (WO 01/86472 A1), hereinafter "Mendiola", in further view of Smith

et al (Conversation Trees and Threaded Chats, 2000), hereinafter "Smith".

        As to independent claims 1, 7, 13, and 19, Godefroid discloses providing a user status

message in an instant messaging system (Presence Awareness (PA) system), comprising:

        obtaining a user status message associated with an owner user (column 4 lines 43-44);

        sensing a user request to edit said user status message (column 4 lines 45-47,

column 5 lines 1-2 → Godefroid teaches the presence information can be updated which will edit

the presence information to reflect the current state of the users, e.g. logged in or logged out);

providing a user interface for editing said user status message, wherein said editing

includes adding a new entry to said user status message (Fig. 3, column 8 lines 40-41, column 5

lines 1-10 → Godefroid teaches wherein the user can manually change his/her presence

information and Godefroid teaches that a screen saver reports the screens activity. When a user

has been inactive for a period of time a new status message of screen saver on will be

displayed/added);

inputting, through said user interface for adding said new entry to said user status

message, information to include within said new entry (column 5 lines 15-18); and

adding said new entry to said user status message, wherein said adding said new entry

includes inserting a time at which said new entry was added into said user status message

(column 5 lines 20-24). Godefroid fails to explicitly teach wherein said adding said new entry

to said user status message further includes adding said new entry to a plurality of previous

entries maintained within said user status message, wherein said new entry and said previous

entries together provide an editing history of said status message to other users.

Mendiola provides an instant messaging system that tracks the online status of a user by

recording a user's activity (page 9 lines 21-27) in a database logging time stamped user activities

(page 10 line 21 to page 11 line 18). Smith provides a collaboration system (chat room) that

displays a logged transcript of a user's login and logout (Figure 1) to provide a sense of history

and context within a chat room.

It would have been obvious to one skilled in the art at the time the invention was made to have included the features of tracking and displaying of a user's status history as taught my the combination of Mendiola and Smith with the instant messaging system of Godefroid to provide a sense of status history for other users of the instant messaging system.

As to dependent claims 2, 8 and 14, Godefroid teaches adding a new entry. However Godefroid does not teach inserting a date at which said new entry was added into said user status message. Mendiola teaches tracking the user's status by time stamping changes in the systems (page 11 lines 6-10). Smith additionally teaches providing a time and date of a user's login and logout (Figure 1).

It would have been obvious to one skilled in the art at the time the invention was made to have combined time stamping of Mendiola and Smith with the user status message of Godefroid to determine when the most recent usage of the user status message was edited.

4.   **Claims 3, 9, 12, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godefroid in view of Mendiola in further view of Smith in further view of Pyra Labs (Blogger.com, website updated 12/02/2000), hereinafter "Blogger".**

As to dependent claims 3, 9, and15, Godefroid teaches adding a new entry. However Godefroid does not teach inserting an identifier of a user associated with said request to edit said

user status message. Blogger teaches inserting an identifier of a user associated with said request of a new entry (Reference to the sample blogs provided on pages 4-7).

It would have been obvious to one skilled in the art at the time the invention was made to have combined blogging with the user status message of Godefroid to give credit to the user who edited or added the new entry.

As for dependent claim 12, Godefroid teaches means for presenting an interface to said owner user associated with said user status message, wherein said interface enables said owner user to indicate at least one other user that is allowed to add an entry to said user status message and means for preventing users other than said at least one other user and said owner user associated with said user status message from adding an entry to said user status message (column 3 lines 2-6, 35-57).

5. **Claims 4-6, 10, 11, 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godefroid in view of Mendiola in further view of Smith in further view of Blogger and further in view of Byford (IBM Technical Disclosure, "Creation of Web Pages for the Internet", August 1997), hereinafter "Byford".**

As to dependent claims 4, 10, and 16, Godefroid as modified by Mendiola, Smith and Blogger teaches user status message in an instant messaging system. However Godefroid as modified by Mendiola, Smith and Blogger does not teach detecting a character string having a predetermined format within said new entry and forming a link to a web page through said

character having said predetermined format. Byford teaches detecting a character string having a

predetermined format within said new entry and forming a link to a web page through said

character having said predetermined format (3rd paragraph $\rightarrow$ Byford teaches using words or text

to act as a hyperlink)

It would have been obvious to one skilled in the art at the time the invention was made to

have combined the messaging system of Godefroid as modified by Mendiola, Smith and Blogger

with the linking of Byford to allow web pages to be designed and put together without the need

of knowledge on the part of the creator of Web page markup language and without the

immediate need of a computer or other equipment.

As to dependent claim 5, 11, and 17, Blogger teaches creating a new web page on a

predetermined server system responsive to said detecting said character string having a

predetermined format within said new entry, wherein said link to said web page comprises a link

to said new web page, and wherein said new web page is an user editable web page (page 1 and

2 $\rightarrow$ Blogger teaches using a link such as an existing blog to create a new blog that is editable by

the user).

As to dependent claims 6 and 18, Godefroid teaches presenting an interface to said

owner user associated with said user status message, wherein said interface enables said owner

user to indicate at least one other user that is allowed to add an entry to said user status message

and preventing users other than said at least one other user and said owner user associated with

said user status message from adding an entry to said user status message (column 3 lines 2-6, 35-57).

Response to Arguments

6.   Applicant's arguments with respect to claims 1, 7, 13, and 19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 6:00 am to 3:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long
February 7, 2008

WILLIAM BASHORE
PRIMARY EXAMINER